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Attorney Docket Number: 21465-508 UTIL

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Jan BERKA, <i>et al.</i>	EXAMINER:	Not Yet Assigned
SERIAL NO.:	10/767,899	ART UNIT:	1645
FILING DATE:	January 28, 2004	CONF. NO.:	6163
FOR:	BEAD EMULSION NUCLEIC ACID AMPLIFICATION		

## MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (3 pages), in duplicate;
3. Cited References B8-B31; C8-C49; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. **50-0311** Ref. No. **21465-508 UTIL**. Please address all correspondence to Customer No. **35437**. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Date: August 31, 2005



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby makes of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. In accordance with MPEP §609(III)(A)(2), copies of the cited U.S. patents and U.S. publications are not required.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits, for the above-identified application. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

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The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

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<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	Application Number	10/767,899
	Filing Date	January 28, 2004
	First Named Inventor	Berka
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	21465-508 UTIL

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Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
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	A7	5,503,851	04/02/96	Hank et al.	424	489	07/01/93
	A8	2001/0020011	09/06/01	Mathiowitz et al.	514	44	03/23/01
	A9	2002/0022038	02/2002	Griffiths et al.	435	6	06/29/01
	A10	2002/0119459	08/29/02	Griffiths	435	6	06/29/01
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	B9	EP	1 482 036 A2	Medical Research Council	December 1, 2004	X	
	B10	DE	196 46 372 C1	Evotec Biosystems GmbH	June 19, 1997	X <sup>a</sup>	
	B11	WO	91/05058	Kawasaki	April 18, 1991	X	
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	B13	WO	93/08278 A	Affymax Technologies N.V.	April 29, 1993	X	
	B14	WO	94/16332	Yeda Research and Development	July 21, 1994	X	
	B15	WO	94/23738 A	Medisorb Technologies International	October 27, 1994	X	
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	B17	WO	94/26766	Washington University Medical School	November 24, 1994	X	
	B18	WO	95/11922	Affymax Technologies N.V.	May 4, 1995	X	
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	B20	WO	96/34112 A	Chromaxome Corp.	October 31, 1996	X	
	B21	WO	96/40723	The General Hospital Corporation	December 19, 1996	X	
	B22	WO	97/47763	CuraGen Corporation	December 18, 1997	X	
	B23	WO	98/13502	Icos Corporation	April 2, 1998	X	
	B24	WO	98/23733	University of Washington	June 4, 1998	X	
	B25	WO	98/31700 A	The General Hospital Corporation	July 23, 1998	X	

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	B29	WO	00/04139	Mirus Corporation	January 27, 2000	X	
	B30	WO	00/40712	Medical Research Council	July 13, 2000	X	
	B31	WO	02/22869	Medical Research Council	March 21, 2002	X	

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	C20	Gašperlin et al. (2000). <u>Viscosity Prediction of Lipophilic Semisolid Emulsion Systems by Neural Network Modelling</u> , <i>Int'l J. Pharm.</i> , 196:37-50.					
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\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	Application Number	10/767,899
	Filing Date	January 28, 2004
	First Named Inventor	Berka
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
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\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

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